# *Dialogue on Orators*

INTRODUCTION

Dialogue was a very popular literary form in antiquity. Plato is the best-known exponent of the genre; among the Romans, Cicero is the outstanding representative, in works such as *De republica.* The classic definition of the form stems from Diogenes Laertius, who probably lived in the third century A.D. He states that a dialogue is "a discourse consisting of question and answer on some philosophical or political subject, with due regard to the characters of the persons introduced and the choice of diction" (*Lives of the Philosophers* 3.48).

The theme of the *Dialogue on Orators* is clearly presented in the very first sentence. The question is raised why oratory is now so much inferior to what it used to be. Tacitus uses the Ciceronian form of the dialogue to report artistically a discussion on this subject which he had heard when he was a young man. The participants are four of the most renowned speakers of the day, all of whom, with the exception of Messalla, are provincial in origin, exemplifying the great influence that men from the provinces possessed, an evolution that culminated in the accession of the first non-Italian emperor, Trajan, barely twenty years after the dramatic date of this dialogue.

The scene is set at Curiatius Maternus' home; Marcus Aper and Julius Secundus call upon him the day after he had offended the feelings of very powerful men by the recitation of a play with views rather too liberal for the times. The first four chapters serve as introduction; Maternus states that he will give up his career as a pleader and devote himself exclusively to poetry. Aper, an enthusiastic and violent advocate of the new and modern style of oratory, argues fiercely, in chapters 5 through 10, that oratory is a more noble and useful occupation than poetry. Maternus rebuts him gently in chapters 11 through 13.

At this point, Vipstanus Messalla, the bearer of a great name of republican renown, enters and is apprised of the subject of discussion by Secundus. After stating that he had already devoted much thought to the subject, Messalla is asked to present his views. Messalla worships the achievements of the ancient orators; these feelings are assaulted by Aper in a long tirade cover-

ing chapters 15 through 23. Aper first sophistically argues that the word "ancient" should not be applied to Cicero and his contemporaries, who lived but yesterday, as it were, and then severely criticizes all the orators of the republic for various and sundry serious failings. Messalla, in chapters 25 to 27 (24 serves as a bridge), defends them in toto against the claims of the "moderns." But he is then reminded by Maternus that he has not yet explained why oratory now falls below the level it achieved a century and more ago.

The main part of the work now begins. Messalla argues that the responsibility rests with the current modes of training and education of children. Contrary to the strict and practical training prevalent in days gone by, children are now raised by nurses and slaves and are then sent to the schools of the rhetoricians, where they learn to speak prettily but to no purpose. They gain no experience in life.

Messalla is still speaking in chapter 35 when the text is broken by a lacuna. When the text begins anew, the speaker appears to be Maternus (more about this below), who continues to hold forth until the end of the dialogue, when the visitors depart in good humor. Maternus pinpoints the cause of oratory's decline in the changed political climate of the principate. In the chaos and anarchy of the last days of the republic, great policies of government were championed and thwarted by oratorical skill. But now, in the quiet days of the empire, all major decisions are made by the emperor, who is recognized as the single wisest person, *sapientissimus et unus.* With the absence of great issues, oratory has flagged, but one should not mourn its decline, for the state is now lawfully ordered. One may detect a sigh for the changed order in Maternus' remarks, but there is no question of his acceptance of the good that the imperial form of government had produced.

More scholarly discussion has centered upon the question of the lacuna than any other aspect of the work. Several points must be considered. In the view presented in the preceding paragraph, Secundus is left without any major role in the entire dialogue; indeed, he does nothing more than bring Messalla up to date when the latter appears. To many, this seems incomprehensible; they therefore assign him chapters 36 to 40 (as far as the words *Non de otiosa*), postulate another lacuna before these words, and claim that this second gap contains the end of Secundus' speech and the beginning of Maternus'. The objection that there is no evidence in the manuscripts for a second lacuna seems to me fatal to this reconstruction; lacunae do not

customarily begin neatly at the end of a sentence and end at the beginning of another. Since it is impossible to estimate how many pages of the manuscripts have been lost, scholars have argued for a long lacuna and hence a speech for Secundus, with or without another gap in chapter 40, and for a short lacuna and hence no possibility for a speech for Secundus. I agree with the latter, and the results of this view are presented above.

With the *Dialogue on Orators,* Tacitus bids farewell to the field that had brought him his first literary fame, and he moves totally into history, in which the three short works had given him his apprenticeship. Had his great historical achievements come earlier than Quintilian's judgments on historians in Book 10 of his *Institutio oratoria,* Tacitus would unquestionably have supplanted Sallust as rival to Thucydides. What comments Quintilian would have made, we can perhaps surmise.

# *Dialogue on Orators*

**Chapters 1–4.** Introduction. Maternus will devote himself to poetry.

**1.** *Tacitus will reproduce a discussion which he heard in his youth to answer the question why oratory is now inferior to what it was.*

You often ask me, Fabius Justus, why our age above all, barren and stripped of the glory of eloquence, scarcely retains the very name of "orator," although earlier periods bloomed with the renowned talents of so many distinguished orators. We do not even call any but the men of old "orators," while the skilled speakers of the present day are said to be pleaders and advocates and counselors, or anything you wish rather than orators. I should certainly scarcely dare to reply to your inquiry and undertake the burden of so significant a problem, a problem of such import that one must think ill of our abilities if we cannot attain the same standard, or of our taste if we are unwilling to attain it, had I to offer my own opinion. But I need only reproduce the conversation of men who were very eloquent, considering the times in which we live, whom I heard discussing this very question when I was still a young man. And so I do not need talent but the power of memory and recollection to present what I heard, subtly thought out and spoken with conviction, from men of great distinction, when each one offered different yet plausible reasons and displayed the unique quality of his feeling and understanding, and I shall retain the same categories and arguments and order of discussion. For there was even someone who took the opposite side and preferred the eloquence of our day to that of antiquity, with much abuse of, and scorn against, the latter.

**2.** *Two distinguished orators call upon Curiatius Maternus.*

Curiatius Maternus had given a public reading of his historical drama entitled *Cato;*[1] it was said that he had offended the feelings of powerful men, because (so ran the charge) he had forgot-

[1] From the moment of his suicide in 46 B.C. Cato, known as Uticensis from the city where he died, became a symbol of the republic crushed by the power of one man, Caesar. See Lucan's famous line: Victrix causa deis placuit, sed victa

ten himself in the plot of his play and had presented the views of Cato alone, and there was much talk in Rome about this. The next day Marcus Aper and Julius Secundus, who were the most renowned talents of the law courts at the time, called upon him. I not only used to listen to both of them with attention in the courts, but attended upon them in private and in public because of my passionate desire for these studies and a certain youthful enthusiasm, to drink in their conversations, discussions, and private rehearsals. Yet many thought, with malice, that Secundus lacked ready speech and that Aper had attained his reputation for eloquence rather by his natural talent and power than through literary training. On the contrary, Secundus had a style pure in diction, concise, and fluent enough, and Aper, who had been trained in every field, scorned, rather than was ignorant of, the study of literature, as if he would obtain greater glory for effort and enterprise if his talent seemed not to rely upon any supports of other fields of study.

**3.** *Maternus' tragedy* Cato *has given political offense. Aper chides him for his neglect of oratory.*

When we entered Maternus' room, then, we came upon him seated, with that play, which he had read on the previous day, in his hands. Then Secundus said: "Do not the comments of malicious people frighten you at all, so that you love the faults of your *Cato* a little less? Or have you taken it in hand to revise it with greater care and, by removing the parts that have given rise to misinterpretation, to make public a *Cato* who is not indeed better but nonetheless not so likely to cause trouble?"

Maternus responded: "You will read what Maternus considered his duty and you will recognize what you have heard. If *Cato* left anything unsaid, *Thyestes* will say it at the next reading; for I have already arranged the material for this play and have molded it in my mind. And I am eager to expedite the publication of this book so that I can devote myself totally to a new enterprise after finishing with this earlier one."

"Those tragedies of yours do not give you enough satisfaction," said Aper, "to keep you from spending all your time, at one time on *Medea* and at another indeed on *Thyestes,* to the complete neglect of your speeches and lawsuits, when the cases of so many friends and the client relationships of so many com-

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Catoni. (The gods favored the winning side, but Cato the losers), *The Civil War* 1.128.

munities and towns summon you into the forum; you would scarcely have sufficient time for them even if you had not put this additional task upon yourself, to add Roman names such as Domitius and Cato and also events of our history to the tales of the Greeks."

**4.** *Maternus pleads the superiority of poetry.*

Then Maternus responded: "I should be upset by this sternness of yours if this continuing and constant disagreement had not almost become a habit with us. For you do not stop your abuse and attacks against poets, and I, whom you charge with neglect of my professional duties, everyday undertake this defense of poetry against you. I am therefore all the happier that a judge has been offered us, who will either forbid me to write poetry in the future or, and I have long been hoping for this, will also by his own prestige urge me to have no more to do with the difficulties of legal cases, in which I have labored more than enough, and to devote myself to that loftier and holier form of eloquence."

**Chapters 5–10.** Aper's rebuttal: oratory is nobler and more useful.

**5.** *Oratory is more useful than poetry.*

Secundus then replied: "Before Aper challenges me as a judge, I shall do what honorable and upright judges customarily do, namely, disqualify themselves in those cases in which it is clear that they have a prejudice for one of the parties. For certainly everyone knows that no one is closer to me in continuous friendship and personal relations than Saleius Bassus,[2] who is not only an excellent man but also a consummate poet. Furthermore, if poetry is put into the dock, I see no other defendant more richly endowed."

"I don't want Bassus to be worried," said Aper, "nor anyone else who cultivates the pursuit of poetry and literary renown, since they are unable to plead cases. For it is my intention, since we have found a judge for this dispute, not to allow Maternus to be defended by joining others to his case, but to charge him alone of all, because he, though gifted by nature for the vigorous eloquence of oratory, whereby he could simultaneously produce and preserve friendships, acquire connections, and become the patron of provinces, ignores the discipline that is beyond com-

[2]Bassus was an epic poet whose talent was praised by Quintilian (10. 1. 90).

pare in our state in terms of practical advantage; above all, it contributes to personal distinction and renown in the city and recognition in the entire empire and among all peoples. For if all our enterprises and actions should be directed to the utility of life, what is a source of greater security than to practice that skill whose possession, always at hand, enables you to protect your friends, assist strangers, and bring safety to those in danger and, as a bonus, produce fear and dread in those who are envious of you and are hostile to you, while all the time you are yourself free from danger and are guarded by a kind of continual power and authority, so to speak? The beneficent power of this ability is recognized in the secure protection afforded others when one's own affairs are prospering; but if one's own danger is threatened, indeed a breastplate and sword are not sturdier defense in battle than eloquence is to a defendant in danger, since it is at the same time a defensive and offensive weapon, with which you could equally well parry or attack either in a case pleaded before the people or before the senate or before the emperor. What other protection than his own eloquence did Eprius Marcellus recently have against the senators who were hostile to him? Well equipped and therefore threatening, he escaped Helvidius Priscus,[3] who, though eloquent and wise, was a novice and totally unskilled in contests of this kind. But I refrain from saying more about the utility of oratory, since I think that Maternus will least of all refute this part of my argument.

**6.** *Oratory furnishes pleasure and prestige.*

"I pass now to the pleasure produced by oratorical eloquence, the charm of which affects not some single moment but almost every day and indeed almost every hour. For what is a greater source of satisfaction for a spirit free, noble, and naturally inclined to honorable pleasures than to see his home always full and crowded with the gatherings of very distinguished men? And to know that this mark of honor is due not to his wealth or childless state or holding of some public office, but to himself? Do not men, on the contrary, who are childless, rich, powerful, often come to a man who is young and poor, to entrust to him their own cases or those of their friends? Is there any pleasure in great wealth and great power as real as to see that men who are

[3]Eprius Marcellus, a vicious informer under Nero, was three times prosecuted by Helvidius, each time without success. He committed suicide in 79. For Helvidius, see *Agricola* 2 and *Hist.* 4. 5.

members of ancient families and aged and who have influence throughout the world confess, in the midst of the greatest abundance of everything, that they do not have that which is the best thing? Now indeed what an escort and company of citizens there is, clad in their togas! What public prestige! What honor in the law courts! What of that pleasure of rising and standing among people who are silent and turn their attention to one man! To have the people come together and crowd close around and accept as their own whatever emotion the orator has displayed! I mention the outward joys of public speakers which are obvious even to the eyes of the ignorant; those which are internal and known only to orators are greater. If he produces a speech carefully worked out and rehearsed, there is a certain gravity and lasting quality not only in his manner of speaking but in his satisfaction; if he presents a novel and fresh oration not without some nervousness, his very lack of confidence adorns the outcome and produces greater pleasure. But there is particular pleasure in boldness and rashness that are extempore, for the products of genius, as of the earth, give greater pleasure when they spring up of their own accord, though others are sown and worked over for a long time.

**7.** *Aper's own successful career stems from his oratorical ability.*

"Indeed, to speak about myself, I did not find more enjoyable that day on which the senatorial stripe was presented to me or those on which I, a new man[4] and born in a city hardly favorable for a public career,[5] received the quaestorship or the tribunate or the praetorship, than I do those on which it is granted me, modest as this skill of mine in speaking may be, either to defend a client with success or to plead some case with good fortune before the court of one hundred[6] or to protect and defend the influential freedmen and procurators of the emperors before the emperor. Then I seem to myself to rise above the offices of tribune and praetor and consul, then I seem to possess something which, if it does not spring from our spirit, is not granted by imperial order nor comes with influence. Tell me now. What profession is there that should be compared in reputation and dis-

[4]A "new man" (*novus homo*) was the first member of a family to reach the consulate.

[5]Aper was born in Gaul, in a community that had little influence on the Roman political scene.

[6]The court of the *centumviri* at this time consisted of 180 members, although its original name was retained. It heard cases involving such matters as inheritance and wardship.

tinction with the glory of orators? Are orators not renowned in the city not only among men of business and affairs, but even among the young and inexperienced, who possess only good characters and high expectations of themselves? Whose names do parents din into their children's ears before theirs? Whom do even the ignorant and these common people call by name and point out with their fingers more often as they pass by? Even strangers and foreigners, as soon as they have come to Rome, seek out those men of whom they have already heard in their towns and colonies and yearn to recognize them, as it were.[7]

**8.** *Eprius Marcellus and Vibius Crispus have attained enormous wealth and influence through their power as speakers.*

"I should venture to claim that this Eprius Marcellus, about whom I just spoke, and Vibius Crispus (I prefer to use examples which are new and current rather than those distant and almost forgotten) are as well known in the farthest corners of the earth as in Capua or Vercellae, where they are said to have been born.[8] And this is not due to their wealth, though one of them has 200 million sesterces and the other 300 million[9] and it can be said that they gained that very wealth by virtue of their eloquence; their renown is rather due to oratorical ability, the divine nature and heavenly power of which have produced many examples, to be sure, in all ages, of the heights to which men have come by the power of genius; but these are examples, as I said before, which are very near and need not be learned of by hearsay but rather can be seen by our eyes. For, the lower and humbler their birth, the more abject their poverty, and the more pronounced the absence of all material advantages, all the more distinguished and illustrious proofs are they of the advantage of oratorical eloquence, because, without the favor of birth and without fortunes, neither gifted with a good character and one of them even unattractive in appearance, they have now for many years been the most powerful men of the state and were, as long as

[7] For a charming instance of this, see letter 9. 23 of Pliny the Younger.

[8] Vibius Crispus, another notorious informer, died at the age of 80 around the year 92. He was born in Vercellae, a town in Cisalpine Gaul; Capua was the leading city of southern Italy.

[9] A sesterce is most easily reckoned as equivalent to a nickel, so that the fortunes mentioned here would be about ten and fifteen million dollars. In real money values, however, the sums would have been much higher. These were fantastic fortunes; the greatest wealth recorded for any Roman of private status was four hundred million sesterces (twenty million dollars).

they wanted to be, the leading advocates of the forum. Now they are foremost in the friendship of the emperor and have all honor and are esteemed by the emperor himself with a certain kind of reverence, since Vespasian, an old man deserving of veneration who above all cares for the truth, knows full well that the rest of his friends indeed rely upon what they have received from him, things which it is easy for him to heap up and confer upon others, while Marcellus and Crispus brought to their friendship with him that which they had not received from the emperor and which could not be received from him. Among so many and such great advantages, images of famous people and laudatory inscriptions and statues hold the least important place, all of which, nonetheless, are by no means disdained, any more than wealth and riches; it is easier to find a person who scorns them than one who rejects them. Therefore we see that the homes of these men, who have devoted themselves to cases in the forum and the study of oratory since early manhood, have been loaded down with honors and decorations and wealth.

**9.** *Poetry furnishes brief pleasure and little tangible reward.*

"Poetry and versification, on the other hand, to which Maternus wishes to devote his entire life (for that was the point of departure from which the whole discussion flowed) do not win any honor for their authors nor do they produce any tangible benefits; on the contrary, they result in pleasure that is of brief duration and praise that is empty and unprofitable. Although your ears may rebel at these comments and what I am going to say next, Maternus, who gets any benefit if Agamemnon or Jason speaks with skill in your plays? Who for this reason goes home obligated to you because of a successful defense? Who escorts our Saleius, a distinguished poet or, to put it in more complimentary terms, a most eminent bard, to the forum or calls upon him or accompanies him home? Surely if a friend of his or a relative or, finally, he himself has fallen into some trouble, he will run to Secundus here or to you, Maternus, not because you are a poet or for you to make verses in his behalf; for Bassus has plenty of these at home, and though they are beautiful and charming, yet their fate is as follows: when he has hammered out, over the midnight oil, one book in a whole year, all day long and deep into the night, he is compelled to go around and hunt an audience himself, so that there may be some people who deem it worthwhile to listen, and even this costs him money. For he gets

the loan of a house, prepares an auditorium, hires benches, and distributes programs.[10] And even though the reception accorded his public reading is very favorable, all that praise fades away in a day or two, like a blade of grass or a flower that has been cut, and does not come to any sure and substantial fruit, and he does not take with him from that recitation either friendship or client relationship, or any benefit that will endure in the mind of anyone, but a capricious outcry and meaningless words and fleeting pleasure. We recently praised Vespasian's generosity as being unusual and extraordinary because he had presented Bassus with the sum of 500,000 sesterces. It is indeed splendid to merit the emperor's generosity because of one's talent; but how much more splendid is it, if personal circumstances so require, that one revere oneself, make one's own genius profitable, experience one's own generosity! Add to this the fact that poets have to leave the acquaintance of friends and the charm of the city, if they wish to work out and produce anything worthy, that they must disregard other duties, and, as they themselves say, they must go off into meadows and groves,[11] that is, into solitude.

**10.** *Even poetry's renown is less than that of oratory. Since Maternus has talent for both, his choice is wrong.*

"Not even reputation and fame, to which alone they are devoted and which they confess is the one reward of all their labor, accrue in equal measure to poets and orators, since no one knows middling poets and few know the good ones. For when does the report of the most remarkable public readings reach the entire city? Much less common is it that the poet becomes known throughout so many provinces. How few are there who, when they have come to Rome from Spain or Asia, to say nothing about our Gauls, seek out Saleius Bassus? And, further, if anyone does seek him out, when he has once seen him, he moves on and is content, as if he had seen some painting or statue. Nor do I want this argument of mine to be understood in this way, as if I should frighten away from poetry those to whom their own natures have denied oratorical talent, if they can charm their leisure and gain reputation for their names only in this branch of studies. Indeed, I consider that all literature and all its genres are sacred and to be treated with respect, and I believe that not only your tragedy or the majesty of heroic verse but also the charm of lyrics and the playfulness of elegies and the invective of iambics

[10] See Juvenal, *Satires* 7. 38–47.

[11] The words *in nemora et lucos* are echoed by Pliny in a letter to Tacitus (9. 10. 2).

and the jesting of epigrams and whatever other form literature possesses should be preferred to all studies of other disciplines. But my dispute is with you, Maternus, because, although your nature brings you to the very citadel of eloquence, you prefer to wander off the path and, although you have obtained the greatest prizes, you dally among the more trivial. Just as, if you had been born in Greece, where it is honorable to practice athletic skills, and the gods had given you the power and strength of Nicostratus,[12] I should not permit those tremendous arms, which were born for boxing, to become puny with the lightness of the javelin or with throwing the discus, so now I summon you from auditoria and theaters into the forum to law cases and real battles, especially since you cannot even have recourse to that claim which protects many, namely, that the occupation of poets is less likely to give offense than that of orators. For the fervor of your most excellent nature waxes hot and you cause offense not for some friend but for Cato, which is more dangerous. Nor is your offense excused by the call of duty or the obligation of legal counsel or by the unwitting quality of a sudden chance remark; you seem to have chosen with forethought a character who is well known and is going to speak with authority. I realize what the response could be: tremendous expressions of approval arise from this, these things are particularly praised in the auditoria themselves and are soon discussed in everybody's conversations. Therefore do not mention the excuse of peace and security, since you are getting an opponent too great for you. For us it would be better to concern ourselves with private disputes that exist in our own age, in which, if it ever should be necessary to offend the ears of more powerful people in defense of a friend in danger, one's integrity may be approved and one's forthrightness excused."

**Chapters 11–13.** Maternus demurs.

**11.** *Maternus responds that his reputation is based upon his poetic achievements.*

When Aper had said these things with considerable vehemence, as was his custom, and in all seriousness, Maternus, relaxed and smiling, said: "Aper soothed me with a certain skill as I was preparing to mount an attack against orators that would be just as long as his praise had been, by granting those who cannot plead

[12] A famous athlete of the mid-first century A.D., renowned for wrestling and the *pankration*.

cases the right to write poetry. For I kept thinking that, after he had finished praising them, he would deride poets and demolish the study of poetry. However, although I can perhaps accomplish and achieve something by pleading cases, so too can I by the reading of tragedies. And I began to gain fame when I destroyed the wicked power of Vatinius, power which also debased the sacred nature of literature.[13] Today, if I have any reputation and renown, I rather think it has been acquired by the fame of my poetry than of my speeches. And I have already decided to unyoke myself from the activity of the forum, nor do I have any desire for those escorts to and from my house which you mentioned or the mobs of those who come to pay their respects, no more than for bronze medallions, which have forced their way into my home even against my will. For personal integrity does a better job than eloquence of protecting the position and safety of each person; and, except to appear in someone else's defense, I am not afraid that I shall ever have to speak in the senate.

**12.** *Poetry preceded oratory and has brought equal renown and even greater safety.*

"Indeed the meadows and groves and the very solitude which Aper chided afford me so much pleasure that I rank them among the outstanding rewards of poetry, because it is not composed in hustle and bustle nor with a litigant sitting before one's door nor in the midst of the mourning clothes and tears of those who are being prosecuted, but the mind goes off into pure and unsoiled locales and enjoys holy surroundings. This was the origin, this is the inner sanctum, of eloquence; ingratiating itself with mortals, it first flowed in this appearance and style into those hearts which were chaste and unpolluted by any vices: this is the way oracles spoke. For the practice of this lucrative and blood-stained oratorical eloquence is of recent vintage and sprang from bad habits and was, as you said, Aper, discovered as a weapon. But that happy age, which I may, in our custom, call golden, was totally without orators and crimes but had a large number of poets and bards, whose function was to sing of glorious deeds and not to defend wicked ones. Nor did any have greater glory or more worshipful honor, first of all with the gods, whose interpreters they were said to be and at whose banquets they were

[13]The incident referred to here has not been identified.

said to take part, and then with those kings who were born from the gods and were sacred; we have not learned that there was any advocate in their company but Orpheus and Linus[14] and, if you should wish to delve deeper into the past, Apollo himself. Yet, if this seems too unreal and made up, you will surely grant me this, Aper, that Homer's reputation is no less great with later generations than that of Demosthenes and that the fame of Euripides or Sophocles is not confined by narrower bounds than is that of Lysias or Hyperides. You will find more people today who carp at Cicero's renown than at Vergil's, and no published speech of Asinius or of Messalla is as famous as Ovid's *Medea* or Varius' *Thyestes*.[15]

**13.** *Retirement is more appealing than the active life.*

"And I shouldn't even be afraid to compare the fortune and that happy fellowship of bards with the restless and anxious life of orators. Grant that their struggles and dangers have advanced the latter to the consulship, I prefer the carefree and quiet retirement of Vergil, in which, nonetheless, he lacked neither favor with the deified Augustus nor renown among the Roman people. Letters of Augustus testify to this, as do the people themselves, who, when they had heard verses of Vergil in a theater, rose in a body and paid him respect, since he happened to be present as a spectator, as if he were Augustus. Not even in our own times would Pomponius Secundus have yielded to Domitius Afer[16] in prestige of life or lasting quality of his renown. For what do your Crispus and Marcellus, whose careers you hold up to me as examples, have in this fortune of theirs that is really desirable? Because they fear or are feared? Because, when they are asked for something every day, those to whom they do not respond quickly enough are angry? Because, all entangled in flattery, they never seem to rulers to be sufficiently subservient nor to us to be sufficiently independent? What is this very great power of theirs?

[14] Orpheus and Linus were famed bards of mythology, often coupled; see, e.g., Vergil, *Bucolics* 4. 55ff.

[15] Lysias (fifth century B.C.) and Hyperides (fourth century B.C.) were included in the canonical list of ten great Greek orators. Gaius Asinius Pollio and Marcus Valerius Messalla Corvinus were among the significant political figures of the last half of the first century B.C.; both the *Medea* and *Thyestes*, highly praised by Quintilian, are now lost. Varius was a close friend of Vergil and Horace, and one of the editors of the *Aeneid* after Vergil's death.

[16] Pomponius Secundus was the most renowned tragic poet of the mid-first century A.D., Domitius Afer a great orator under Nero.

Freedmen customarily have as much. Indeed, let "the sweet Muses," as Vergil says,[17] carry me off to those sacred places and those fountains, after I have been released from worries and cares and the necessity of doing something daily against my inclination; nor let me any more experience with dread the mad and dangerous forum and shifting glory. Let not the noise of those who come to pay their respects nor a panting freedman arouse me; let me not write my will, while uncertain of the future, to be on the safe side; let me not have more than I could leave behind to whomsoever I should wish (for some time or other my destined day will come); and let my statue by placed on my grave not gloomy and fierce in aspect but joyful and wearing a wreath, nor let anyone consult the senate or petition the emperor to honor my memory."

**Chapters 14–23.** Messalla enters and expresses his admiration of the ancient orators. Aper claims the superiority of "modern" orators and castigates the orators of the republic for various failings.

**14.** *Messalla's appearance.*

Maternus had scarcely finished, excited and, as it were, inspired, when Vipstanus Messalla entered his room and, suspecting from everyone's serious expression that there was a discussion of some significance going on among them, asked, "Have I interrupted a private deliberation at an inappropriate time, such as your consideration of some case?"

"Not at all, not at all," said Secundus, "and I rather wish that you had come sooner; for the very carefully wrought argument of our Aper would have delighted you, when he urged Maternus to devote all his talent and attention to the pleading of cases, as would have also Maternus' charming response in behalf of his poetry, which, appropriate to the defense of poets, was rather fiery and more like the product of poets than of orators."

"That conversation," Messalla said, "would indeed have given me endless pleasure, and the very fact delights me that you, men of the highest character and also the best orators of our times, practice your talents not only in the business of the forum and the study of oratory, but even carry on discussions of this kind, which sharpen the intellect and furnish the most enjoyable pleasure of learning and literature not only to yourselves who debate those questions but also to those to whose ears they

[17] *Georgics* 2. 475.

may come. Therefore, indeed, I see that you, Secundus, are to be praised, because, in writing the biography of Julius Africanus,[18] you have given men the expectation of more books of this kind, just as much as Aper, because he has not yet finished with rhetorical school exercises and prefers to use his leisure in the manner of the new rhetoricians rather than of the old orators."

**15.** *Messalla requests one of the others to explain why present-day orators are so inferior to those of earlier generations.*

Then Aper took up, "You continue, Messalla, to marvel only at what is old and ancient but to mock and scorn the culture of our own times. For I have often heard this statement of yours, when, forgetting your own eloquence and that of your brother,[19] you claimed that there was no orator at the present time who was a match for the ancients, and you said this with considerable confidence because, I believe, you were not afraid of being thought spiteful, since you were denying yourself the renown that others grant you."

"And I do not regret that statement of mine, nor do I believe that Secundus or Maternus or even you, Aper, have a different opinion, although you occasionally argue against it. And I should like one of you, as a favor, to investigate and explain the reasons for this tremendous difference; very often I hunt for these reasons myself. And what comforts certain people makes the inquiry all the more pressing for me, since I see that it has even happened to the Greeks; for the renowned Sacerdos Nicetes or anyone else who causes Ephesus or Mytilene to quake with the audience's chorus of applause has fallen further from the level of Aeschines[20] and Demosthenes than Afer or Africanus or you yourselves have fallen from the level of Cicero or Asinius."

**16.** *Aper claims that Demosthenes, for example, is a "modern" orator.*

"You have raised a question that is important and worthy of discussion," said Secundus. "But who will expound it more appropriately than you, who have added careful thought to your very great learning and extraordinary talent?"

Messalla replied, "I shall reveal my thoughts to you on this condition, that you also help this presentation of mine along."

[18] A distinguished contemporary orator.

[19] Marcus Aquilius Regulus, his half brother, was a notorious informer.

[20] Sacerdos Nicetes was a contemporary rhetorician; Aeschines was Demosthenes' great opponent.

"I promise this for two of us," said Maternus; "for Secundus and I will deal with those aspects of the subjects which we shall realize you have not so much omitted as left to us. A little while ago you said that it is Aper's custom to disagree and it is quite obvious that he has been ready for a long time to take the offensive and that he cannot endure with equanimity this agreement of ours regarding the praise of the ancients."

"Ah no," said Aper, "I shall not permit our age to be condemned by this conspiracy of yours without being heard and given some defense. But first I shall ask this, Whom do you call 'the ancients'? What period of orators do you mark out by that designation? For when I hear of 'the ancients,' I think of certain men of old who were born long ago, and there come before my eyes Ulysses and Nestor, whose period preceded ours by about 1,300 years; but you bring forth the names of Demosthenes and Hyperides, who, it is beyond question, flourished in the times of Philip and Alexander, and yet outlived them. From this it is clear that not much more than 300 years fall between our period and that of Demosthenes. If you should relate this span of time to the frail condition of our bodies, it would perhaps seem long; but if you consider the character of centuries and the tremendous extent of this eternity, it is very brief and close at hand. For if, as Cicero writes in his *Hortensius*,[21] that is a true and great year in which the same position of the constellations of heaven, exactly as it is now, comes again into existence, and that year embraces 12,954 of these which we call years, it begins to appear that Demosthenes, whom you put forth as old and ancient, lived not only in the same year as we do but even in the same month.

**17.** *Cicero lived but yesterday and could have been heard by someone still alive.*

"But I pass on to the Latin orators, among whom you are wont to prefer to the eloquent men of our times not Menenius Agrippa,[22] I think, who can seem 'ancient,' but Cicero, Caesar, Caelius, Calvus, Brutus, Asinius, and Messalla; I do not see why you assign them to ancient times rather than to ours. For, to speak about Cicero himself, he was killed, as his freedman Tiro reported, on December 7 in the year[23] which was, to be sure, that of the con-

[21] The *Hortensius* is lost, except for fragments. Written in 45, it was an invocation to the study of philosophy. It was influential in antiquity, particularly upon St. Augustine.

[22] Consul 503 B.C.; see Livy, *History of Rome* 2. 32.

[23] In 43 B.C.

sulship of Hirtius and Pansa, a year in which the deified Augustus caused himself and Quintus Pedius to be appointed suffect consuls in succession to Pansa and Hirtius. Figure fifty-six years during which the deified Augustus then governed the state; add Tiberius' twenty-three, Gaius' reign, which lasted almost four years, the fourteen years each of Claudius and Nero, that long but single year of Galba and Otho and Vitellius, and now the sixth year of this happy principate, in which Vespasian is making the commonwealth prosper; there is a sum of one hundred twenty years from the death of Cicero to the present day, the life span of one man. For I myself have seen an old man in Britain who claimed that he participated in that battle in which the Britons undertook to keep Caesar away from their shores and to drive him off when he was invading the island. And so, if captivity or personal desire or some stroke of fortune had dragged that man, who had fought against Gaius Caesar, to the city, the same man could equally well have heard Caesar himself and Cicero and also have been present at our pleadings. Indeed, at the last public largess, you yourselves saw a number of old men who related that they had again and again received a largess also from the deified Augustus. From this one can gather that both Corvinus and Asinius could have been heard by them—for Asinius lived to the middle of Augustus' principate, Corvinus almost to the very end;[24] therefore do not split an age and call orators 'old and ancient' whom the ears of the same men were able to recognize and, as it were, join together and associate with us.

**18.** *"Styles and manners of speech change with the times."*

"I have made these preliminary remarks for this reason, so that, if any praise accrues to the times from the renown and glory of these orators, I might show that it is the property of all and nearer to us than to Servius Galba or Gaius Carbo[25] and others whom we would properly call 'ancient'; for they are rough, graceless, crude, and inartistic. I should wish that your Calvus or Caelius or Cicero himself had not imitated them in any regard. For I wish now to proceed more vigorously and boldly, after first making this claim, that the styles and manners of speech change with the times. Thus Gaius Gracchus is more elaborate and

[24] Pollio died in A.D. 5, Corvinus in either A.D. 8 or 13, so that the statement in the text is inaccurate.

[25] Consuls 144 and 120 B.C., respectively.

richer in expression than old Cato[26] to whom he has been compared, in the same way Crassus is more polished and ornate than Gracchus, thus Cicero is more luminous and refined and impassioned than either, Corvinus is milder and more pleasing and more precise in his choice of words than Cicero. And I do not ask who was the most eloquent: I am content to have shown this for now, that there is no single aspect of eloquence, but that also in those whom you call 'ancient' a number of kinds are to be discerned, nor is that which is different at once worse, but, as the result of the vice of human envy, old things are always praised and those of the present day held in scorn. We do not doubt, do we, that people have been found who admired Appius Claudius[27] in preference to Cato? There is no question that even Cicero had his detractors, to whom he seemed swollen, inflated, not terse enough, extravagant in his rhythms, redundant, and insufficiently Attic.[28] At any rate you have read letters of Calvus and Brutus which were sent to Cicero, from which it is easy to gather that Calvus seemed to Cicero bloodless and feeble, while Brutus appeared dull and disjointed; on the other hand, Cicero was criticized by Calvus as being weak and effeminate, and by Brutus, to quote his words, 'because he was feeble and lame.' If you ask me, all seem to have spoken the truth. But I shall soon come to them as individuals, now I have to deal with them all.

**19.** *An orator must have a new and exciting style to avoid boring his listeners.*

"For since the worshippers of the ancients are accustomed to set up this boundary of 'antiquity,' as it were, I claim that Cassius Severus,[29] whom they attack on the grounds that he was the first one to turn from that old and straightforward path of speaking, changed to that kind of speech not because of lack of talent or inadequate training in literature but by sane judgment and un-

[26] Gaius Gracchus was tribune in 123–122 B.C. Cato was consul in 195 and censor in 184.

[27] Appius Claudius Caecus (the blind), censor 312 B.C., constructed the Via Appia and the Aqua Appia.

[28] The devotees of the "Asianist" school sought florid and extravagant effects, the "Atticists" cultivated plainness and simplicity. Cicero claimed, as an eclectic, to avoid the ills of both styles.

[29] Born about the middle of the first century B.C., Cassius Severus was banished by Augustus for his wanton attacks upon the aristocracy. His exile was continued, under harsher conditions because of his unrepentant nature, by Tiberius; he died in A.D. 32.

derstanding. For he saw, as I said a little while ago, that the manner and style of speech had to be changed to accompany the change in the times and the difference in taste. That earlier people, inexperienced and uncultured, easily endured the tedious presentation of the most long-winded speeches and used to applaud it as an achievement if anyone used up a day in speaking. Indeed, the lengthy preparatory introductions and the far-fetched presentation of argument and the display of many divisions and a thousand levels of proofs and whatever else is prescribed in the dry-as-dust books of Hermagoras and Apollodorus[30] were honored; but if anyone seemed to have sniffed philosophy and inserted some commonplace from it into his speech, his praises rang to heaven. And it was not surprising; for these things were new and unfamiliar, and also very few of the orators themselves knew the precepts of rhetoricians or the principles of philosophers. But, goodness knows, when all these things have become public property, when scarcely anyone stands in the audience who, though not fully trained, has surely become acquainted with the basic elements of these disciplines, we need new and exciting styles of eloquence, by means of which the orator may avoid boring his listeners, particularly before judges, who hear cases by their authority and power of office, not because of their knowledge of the legal code or the laws, and do not accept the length of time proposed for speaking but set it themselves and hold that one should not have to wait for an orator until he decides to speak about the subject at hand, but often on their own admonish him and call him back when he is wandering elsewhere, and claim that they are in a hurry.

**20.** *Present-day style is more beautiful and polished.*

"Who will now tolerate an orator who speaks first about his poor health? That's the way Corvinus' introductions are, almost without exception. Who will wait out five books against Verres? Who will suffer through those lengthy speeches about defendants' pleas and rules of procedure which we read in behalf of Marcus Tullius or Aulus Caecina?[31] At this time the judge anticipates the speaker and becomes hostile to him unless he has been won

[30] Rhetoricians of the second and first centuries B.C., respectively.

[31] Cicero's successful prosecution of Verres occurred in 70 B.C. Aper fails to note that only the first speech was delivered, with the rest being published as pamphlets after Verres fled into exile. The defenses of Tullius and Caecina took place in 72 or 71 and 69, respectively.

over and seduced by the flow of evidence or the brilliance of thoughts or the shining glitter of descriptions. Also the mob of bystanders and the chance listener who wanders in and out have become accustomed now to demand richness and beauty in a speech, nor does anyone tolerate a somber and unpolished old-fashionedness in the courts any more than if someone should wish to reproduce the gestures of Roscius or Ambivius Turpio[32] on the stage. Now indeed young men, namely those who are still on the threshold of knowledge and who attach themselves to orators to improve themselves, want not only to hear but also to bring home something remarkable and worthy of recollection; and they pass it on among themselves and often write it to their communities and provinces if some thought has glittered because of a concise and striking saying or a passage has shone because of its careful poetic dress. For even the beauty of poetry is now required of the orator, a beauty not defiled by the old rot of Accius or Pacuvius[33] but drawn from the shrine of Horace and Vergil and Lucan. By paying deference to the taste and judgment of these people, then, the present age of orators has developed, more beautiful and more polished. And our speeches are not for this reason any less effective, since they give pleasure to the judges' ears. Tell me now whether you believe the temples of these times less solidly built, since they are constructed not of rough stones and shapeless tiles but gleam with marble and glow with gold?

**21.** *Ancient orators were tedious and crude.*

"Indeed, I shall make a simple confession to you: in the case of some of the ancients, I scarcely keep myself from laughing, and, in the case of others, from sleeping. And I do not speak of one of the rank and file, Canutius or Attius, to say nothing about Furnius and Toranius and the others whom these bones and this wasting-away prove to be residents of the same sickroom. Calvus himself, although, I think, he left behind twenty-one orations, hardly satisfies me in one or two little speeches. And I see that others do not disagree with this judgment of mine; for how few are there who read Calvus' speeches against Asicius or Drusus? But, to be sure, the speeches he delivered against Vati-

[32] Famous actors of the first and second centuries B.C., respectively.

[33] The best-known of Roman tragedians; Pacuvius died in 132 B.C., Accius in about 86 B.C.

nius, and especially the second of these, are taken in hand by all those concerned with oratory;[34] for it is ornate in its words and expressions and gauged to the ears of his audience, so that one knows that Calvus too knew what was better and that he lacked not the inclination to keep him from speaking more loftily and elegantly but rather the talent and the power. And to continue. With Caelius' speeches, certainly those give pleasure, either completely or in part, in which we recognize the brilliance and loftiness of our own times. However, his commonplace expressions and construction full of hiatus and crude periods[35] reek of the old days; and I am sure that no one is so much of an antiquarian that he applauds Caelius whenever he is an 'ancient.'[36] Let us indeed grant Gaius Caesar that he accomplished less in the field of oratory than his unique genius demanded of him because of the greatness of his enterprises and because he was too busy, just as we should leave Brutus to his philosophy; for even his admirers admit that he fell short of his reputation in his speeches. Perhaps no one reads Caesar's speech in behalf of Decidius the Samnite, or Brutus' for King Deiotarus, and others of similarly uninspired dullness, except a person who marvels at their poetry. For they also composed poems and had them included in libraries; they were not better poets than Cicero, but they are luckier, since fewer people realize that they wrote poetry.[37] Asinius too, although he was born in times nearer ours, seems to me to have studied among men like Menenius and Appius.[38] He certainly reproduced Pacuvius and Accius in his speeches as well as in his tragedies: he is so tough and dry. But, just as a man's body, so precisely is that speech beautiful in which the veins do not stick out and the bones cannot be counted but rather temperate and healthy blood fills the limbs and swells in the muscles and a glow coats the sinews themselves and an elegance graces them. I do not wish to attack Corvinus, since the fault was not his own, not to express the richness and glitter of

[34] All those above mentioned were orators of the first century B.C.; Calvus' speeches remain only in fragments.

[35] Hiatus refers to breaks between words where sounds would normally coalesce. Periods are sentences or clauses which express complete thoughts.

[36] The speeches of Caelius are not extant, nor are those of Caesar and Brutus, mentioned below. Caelius was a friend of Cicero.

[37] This is not a completely fair judgment. In his youth, according to Plutarch, *Cicero* 2.3–4, Cicero was considered the leading poet of Rome. His reputation suffered from some unfortunate and self-centered lines written about his consulship; see Quintilian, 10. 1.24, and Juvenal, *Satires* 10. 122ff.

[38] See footnotes 22 and 27.

our times; and we see how little his imaginative or creative ability supported his critical judgment.

**22.** *Cicero too had the same battle. His own style is polished and elegant.*

"I come to Cicero, who had the same battle with his contemporaries that I have with you. For they admired the ancients,[39] he himself preferred the eloquence of his own times; nor does he excel the orators of the same age in anything more than in taste. For he was the first one to apply a finish to a speech, the first one to follow a principle of selection in vocabulary and to produce skillful arrangement, and he also attempted flowery passages and came upon certain aphorisms, especially in those speeches he composed when he was already an old man and near the end of his life, that is, after he had become more proficient and had learned, by experience and practice, what the best type of oratory was. For his earlier speeches are not without the faults of the old days: he moves slowly in his introductions, is long-winded in his narratives, wearisome in his digressions; he plods along and rarely gets excited; few sentences come to an end with rhythm and with some brilliance. You could excerpt nothing, take nothing away with you, and, just as in a rudely constructed building, the wall is certainly strong and going to last, yet it is inadequately polished and shining. I, however, want an orator, just as a rich and tasteful head of a household, to be sheltered not only by the kind of home that keeps away the rain and wind, but even one that delights the eye; and I wish him to be possessed not only of furniture that is adequate for ordinary purposes, but gold and jewels should be among his belongings, so that he may more often get pleasure from handling and gazing upon them. Further, certain things should be avoided as already passé and dated: let no word be tainted with blight, so to speak; let no sentence be composed, in the style of a chronicler, with a tedious and lifeless arrangement; let the orator avoid foul and witless scurrility, let him vary his manner of writing, and let him not have all his sentences end in one and the same rhythmical pattern.[40]

**23.** *Contemporary orators display beautiful style.*

"I do not wish to mock 'the wheel of Fortune' and 'pork sauce'

[39] The Attic orators of Greece.

[40] Prose rhythm was very important to the ancients, particularly at the end of a sentence, the *clausula*.

and that phrase 'it would appear to be,'[41] the stock ending, by way of reflection, of every other sentence in all his speeches. For I have unwillingly recalled these and have omitted more, which nonetheless are the only things those who call themselves 'ancient orators' admire and therefore reproduce. I shall mention no one by name, since I am content to have indicated the class of men; but undoubtedly they pass before your eyes, people who read Lucilius in preference to Horace, and Lucretius rather than Vergil, who consider the eloquent style of Aufidius Bassus or Servilius Nonianus inferior to that of Sisenna or Varro,[42] who despise the written speeches of our rhetoricians and marvel at those of Calvus. Those who babble before a judge in the old-fashioned way are heeded by no audience, not heard by the people, scarcely endured, to top it off, by the person involved in the case: being so dismal and uncouth, they gain that very state of good health of which they boast not by vigor but by fasting. Further, not even in the case of the body do doctors approve sound health that comes about because of emotional trouble; it is not enough for one not to be sick: I want him to be strong, high-spirited, vigorous. He is not far removed from indisposition in whom only soundness of body is praised. You indeed, you very eloquent men, as you can and as you do, give luster to our age by the most beautiful style of oratory. For I see you, Messalla, imitating all the most expressive aspects of the ancients, and you, Maternus and Secundus, mingle the shining glitter of vocabulary with weightiness of thought in such a way, such is the choice of subject matter, such the order of material, such the richness, whenever the case demands it, such the brevity, whenever it is permitted, such the grace of composition, such the clarity of thought, such the manner in which you express your emotions and control your outspokenness, that even if ill will and envy warped our judgments, our posterity would speak the truth about you."

**Chapters 24–35.** Maternus invites Messalla to explain the inferiority of recent oratory. Messalla defends the ancients and then considers why oratory has declined over the last century. The answer is the inferiority of modern education and training.

[41] Mentioned here are three typical Ciceronian expressions or puns.

[42] Lucilius (second century B.C.) was considered the father of Roman satire. Aufidius and Servilius lived in the first century A.D., Sisenna and Varro in the first century B.C.; all four were historians, although the polymath Varro embraced many fields and was considered the most learned of Romans.

**24.** *Maternus asks Messalla to explain why modern orators are so inferior to the ancients.*

When Aper had finished speaking, Maternus said: "Do you recognize the fire and enthusiasm of our Aper? With what a flood and passion he defended our age! How fully and extensively he tore the ancients to shreds! With what genius and inspiration, not to mention learning and skill, he borrowed from them those very weapons with which he then attacked them! Nonetheless, Messalla, he should not cause you to break your promise. For we do not need a defender of the ancients nor do we compare any one of ourselves, although we have just been praised, with those whom Aper assailed. That is not even his own opinion, but, in line with an old practice often approved by our philosophers, he took for himself the role of the opposition. Therefore give us, not praise of the ancients (for their reputation praises them sufficiently), but the reasons why we have fallen so short of their eloquence, and that too although chronology has shown that there have passed only one hundred and twenty years from the death of Cicero up to the present."

**25.** *Messalla grants that the ancients differed among themselves, but the age of Cicero is rightly recognized as the greatest among the Romans.*

Messalla replied: "I shall follow the course you have laid out, Maternus; for one does not have to spend much time refuting Aper, who first of all, to my mind, stirred up a dispute about nomenclature, on the grounds that they who beyond any question lived one hundred years ago were inappropriately called 'ancients.' However, I am not going to fight about a word; let him call them 'ancients' or 'elders' or by whatever other name he prefers, provided that everyone knows that the eloquence of those times was loftier. I do not even argue against that part of his discussion, to keep from confessing that numerous types of oratory existed even in the same ages, much less in different ones. But, just as first place among the Attic orators is assigned to Demosthenes and Aeschines, Hyperides, Lysias, and Lycurgus occupy the next rank, and, nonetheless, this age of orators is given especial and unanimous approval, so, among us, Cicero indeed excelled the other eloquent men of the time, and, on the other hand, Calvus, Asinius, Caesar, Caelius, and Brutus are rightly preferred to their predecessors and successors. Nor does the fact that they differ one from the other in particular details have any significance, since they agree in general characteristics. Calvus is more concise, Asinius more energetic, Caesar

more brilliant, Caelius more biting, Brutus more serious, Cicero more vigorous and rich and powerful: all nonetheless display the same healthiness of eloquence, so that, if you should take into your hand the orations of all of them at the same time, you would know that there was a certain similarity and relationship of taste and intent, in spite of variation of talent. As to the fact that they reproached each other and that some comments were included in their letters that displayed their mutual ill will, this is a fault not of orators but of human beings. For I believe that Calvus and Asinius and Cicero himself were accustomed to hate and envy and to be afflicted with the other faults of human frailty; I think that of these only Brutus revealed his innermost convictions straightforwardly and honestly, without being influenced by ill will and envy. Can it be that he envied Cicero, he who seems to me to have envied not even Caesar? What is said with regard to Servius Galba and Gaius Laelius and any others of the still older generation, whom Aper did not cease to attack, does not need an advocate, since I admit that their eloquence lacked certain qualities, because it was still growing and had not yet reached maturity.

**26.** *Even a crude style is superior to artificiality and wantonness.*

"But if, after eliminating that best and most ideal type of oratory, a style of speech must be chosen, I should indeed prefer the impetuosity of Gaius Gracchus or the ripe eloquence of Lucius Crassus to the artificial flourishes of Maecenas or the jinglings of Gallio:[43] it is so much better to clothe a speech even in a rough toga than to make it stand out with the colored clothes of a courtesan. For the practice is inappropriate for an orator and even less for a man, although it is the vogue among many speakers of our times, to reproduce the rhythms of the stage by wanton language and shallow thoughts and lax structure. And many boast, as proof of their renown and glory and genius, that their works are sung and danced to, a thing which it should shock them even to hear. From this there stems that shameful and absurd, but nonetheless common, statement, that our orators are said to speak lasciviously, our actors to dance eloquently. Indeed I would not deny that Cassius Severus, whom alone our Aper

[43]Lucius Crassus was a statesman and orator of the second and first centuries B.C. and was much admired by Cicero. Maecenas was the minister of Augustus and the patron of Vergil and Horace. Gallio, a friend of Seneca the Elder, is particularly known to us because he presided at the trial of the Apostle Paul (*Acts* 18:12).

dared mention,[44] if he were compared with those who lived after him, could be called an 'orator,' although in a large part of his output he displays more bile than blood. For he is the first one who, paying no attention to the order of his material and ignoring moderation and decorum of vocabulary, unskilled even in the use of his own weapons and often thrown off his balance by his eagerness to strike a blow, does not fight but wages a brawl. But, as I said, compared with those who follow him, in breadth of learning, charm of wit, and power of intellect itself, he much surpasses the rest, none of whom Aper deigned to name and, as it were, bring into the battle. But I anticipated that, when he had leveled his charge at Asinius and Caelius and Calvus, he would present us with another battalion and mention most of their names or, at least, enough of them to enable us to set one against Cicero, another against Caesar, and finally one against one all the way. Now, however, content with having attacked the reputations of the ancient orators by name, he did not dare to praise anyone of their successors except in very general terms, since he was afraid, I suppose, of offending many by picking out a few. For how few professional rhetoricians are there who do not flatter themselves by imagining that they rank ahead of Cicero but clearly behind Gabinianus?[45] But I shall not hesitate to name individuals, so that it may more easily be evident, by giving instances, by what steps eloquence has declined and deteriorated."

**27.** *Maternus reminds Messalla of the need to explain why past eloquence is superior.*

"Let that pass," said Maternus, "and rather keep your promise. For we do not need this proven, that the ancients were better speakers, which is obvious to me, but we seek the reasons, which you said a little while back that you were accustomed to discuss, when you were clearly in a better mood and less provoked with the eloquence of our times, before Aper made you mad by attacking your ancestors."

"I was not angered," he said, "by the argument of my good friend Aper, and it will not be proper for you to be angered if anything perhaps grates upon your ears, since you know that this is the ground rule for discussions of this type, to express one's opinion without any loss of good will."

[44] See footnote 29.

[45] An older contemporary of Quintilian; St. Jerome ranked him with Cicero and Quintilian.

"Go on then," said Maternus, "and since you are speaking about the men of old, use the old freedom of speech, from which we have fallen further than from their eloquence."

**28.** *The cause lies in the upbringing and education of the young.*

Messalla began: "You are seeking, Maternus, causes that are not hidden from view nor unknown either to yourself or to Secundus here or Aper, even if you assign me the task of discussing things we all know. For who does not realize that eloquence and other arts have declined from that ancient renown not because of the incapacity of men, but because of the laziness of the young, the lack of concern of their parents, the ignorance of professors, and the disregard of old practice? The evils that first arose in Rome soon spread throughout Italy and now flow into the provinces. Yet your provinces[46] are better known to you: I shall speak about the city and about our own home-grown vices, which immediately embrace children at birth and are compounded at every stage of life; I shall first say a few words about our ancestors' stern discipline in bringing up and training their children. For in the past each man's child, borne by a chaste mother, was reared not in the room of a nursemaid who had been bought but in the bosom and embrace of his mother; it was her particular merit to supervise the home and be devoted to the children. However, if need arose, some older female relation was chosen, to whose proven and tried character all the young of the same family were entrusted; it was a terrible thing to say anything in her presence that seemed obscene or to do anything that seemed disgraceful. And the mother supervised not only the children's studies and school exercises but also their recreations and play with noteworthy integrity and modesty. It was in this way, we have learned, that Cornelia, the mother of the Gracchi, Aurelia, the mother of Caesar, and Atia, the mother of Augustus, oversaw their upbringing and raised their distinguished sons. This discipline and stern training had this object, that the character of each, sound, wholesome, and unwarped by bad habits, might at once embrace honorable pursuits with absolute devotion and, whether inclined to military life or to jurisprudence or to the study of oratory, might do that alone and drink it in totally.

[46] Aper, Secundus, and perhaps Maternus were natives of Gaul. Messalla was the only native-born Roman.

**29.** *Children are raised by worthless people and exposed to misbehavior and vice.*

"But, as it is now, the child, while still unable to speak, is entrusted to some worthless Greek maid, who has the assistance of one or at most two of all the slaves, and they are generally the ones of poorest character and unsuited for any important duty. Straightway the children's pliable and unmolded minds are imbued with their nursery tales and superstitions; and no one in the whole household has any concern for what he says or does in the presence of his master's child. Even more, the parents themselves do not accustom their young to honesty and good conduct, but to naughtiness and rowdiness, through which there gradually creep in impudence and contempt for one's self as well as for someone else. Now indeed the special and unique vices of this city seem to me to be conceived almost in the mother's womb, namely enthusiasm for the stage and passion for gladiators and horse racing: how little room does a mind busied and obsessed with these things leave for good pursuits? How few will you find who speak of anything else at home? What other discussions of young men do we hear whenever we enter the lecture halls? Not even the schoolmasters speak of anything else more frequently with their pupils; for they attract students not by the strictness of the training they offer or their proven talent but by calling upon potential students to pay their respects and by tricks of flattery.

**30.** *The old orators were learned and experienced in all subjects.*

"I pass over the first stages of education, at which level too they do not work hard enough: insufficient effort is devoted to reading authors and unrolling the pages of the past and learning the branches of knowledge, human nature, and real events. But those whom they call rhetoricians are sought out; it is my intention to explain right away when their profession was first introduced into this city and how they were without influence among our ancestors, but I must recall our minds to that training that we have learned those orators followed, whose endless labor and daily practice and continual studies in every branch of their disciplines are displayed even in their books. Surely Cicero's essay entitled *Brutus* is known to you, in the last part of which (the first part contains a survey of the old orators) he relates his own beginnings and stages of advancement, the development, so to speak, of his own eloquence: he tells that he learned civil law from Quintus Mucius and drank in deeply all the branches of

philosophy from Philo the Academic and Diodotus the Stoic,[47] and that, not content with those teachers who were available to him in the city, he also traveled through Achaea and Asia,[48] to embrace the entire range of all the arts. And so, goodness knows, one becomes aware in Cicero's works that he lacked the knowledge neither of geometry nor of music nor of philology nor, to sum up, of any liberal art. He had learned the subtle skill of dialectic, the practical lessons of ethics, the movements and causes of natural events. This, gentlemen, this is the result: that remarkable eloquence rushes forth and overflows from extensive learning and very many achievements and knowledge that is universal; for the function and activity of an orator are not confined within narrow and restricted limits, as are those of other skills, but that man is an orator who can discourse about every subject nobly, elegantly, and persuasively, in accordance with the loftiness of the subject, making proper use of occasions, and producing pleasure in his audience.

**31.** *They did not declaim in the schools of rhetoricians but became broadly knowledgeable about moral subjects.*

"Those men of old had become convinced of this, they realized that to accomplish this there was need, not of declaiming in the schools of the rhetoricians nor of exercising tongue and voice in debates fictitious and totally unrelated to reality, but of filling their minds with those fields of knowledge with which debate is carried on about things good and evil, about the honorable and dishonorable, about the just and the unjust; for this is the subject matter that an orator must discuss. For in the courts our general subject is equity, in senate deliberations expediency, in panegyrics moral integrity, but in such a way that often these precise subjects are intermingled: no one can speak fully, without monotony, and elegantly about them unless he has learned human nature, the meaning of virtues, the depravity of vices, and has gotten an understanding of those traits that fall in the categories neither of virtues nor vices. From these sources flow even the following skills, so that he who knows what anger is may more easily arouse or calm the anger of a judge, and he who knows

[47] Quintus Mucius Scaevola, the augur, like his cousin of the same name, the pontifex, was among the leading legal scholars of the second and first centuries B.C. He lived from about 159 to 88. Philo came to Rome in 88. Diodotus was an intimate friend of Cicero.

[48] These were the Roman provinces, the former including Athens, the latter the great cities of the coast of Asia Minor.

what pity is and by what emotions of the mind it is stirred up may more readily lead a judge to pity. An orator trained in these skills and practices, whether he will have to speak among people who are hostile or biased or envious or sullen or frightened, will feel the pulse of their moods and will treat the case and temper his speech in accordance with the requirement of each listener's character, since every tool has been prepared and held in reserve for every emergency. There are those among whom a manner of speaking which is concise and succinct and which immediately brings each and every argument to a conclusion gains more credence: with these attention given to logic[49] will be profitable. Others get greater pleasure from a speech smoothly and steadily drawn from the common emotions: to win these over we will borrow arguments from the Peripatetics which are suitable and ready at hand for every discussion. The Academics will furnish combativeness, Plato sublimity, Xenophon charm; it will not be inappropriate for the orator to have at his disposal certain moral maxims even of Epicurus and Metrodorus[50] and to use them as the situation demands. For we are not molding a philosopher or a devotee of the Stoics, but a man who ought to drink deeply of certain studies and taste all. And for this reason the orators of old understood civil law and were trained in philology, music, and geometry. For cases occur, and this is almost always the circumstance, in which knowledge of law is demanded, and there are also some in which the last-named disciplines are necessary.

**32.** *Present-day orators are, in contrast, shallow and ignorant.*

"Nor should anyone reply that it is sufficient that we be taught something superficial and simple for an emergency. For, first of all, we make use of our own possessions in one way and of borrowed things in another, and it is clear that there is a vast difference whether one possesses or borrows what he displays. Then, a wide range of culture, of itself, gives us distinction even when we are handling other material and shines forth and stands out where you would least expect it. And not only the learned and sagacious listener but even the people realize this and at once

[49] The Stoics excelled in logic.

[50] Epicureanism was considered unworthy of the orator's attention in the latter days of the republic. Metrodorus was a disciple of Epicurus. Epicureanism urged the primacy of pleasure and nonparticipation in public affairs. Stoicism was more attractive to the Romans because service to the state fit well with its belief in living the best and most ethical life, in accordance with reason.

deck him with such praise that they confess that he has properly devoted himself to his studies, that he has advanced through all the stages of eloquence, that, in short, he is an orator; I claim that he cannot arise in any other way and never has arisen unless he is one who has gone forth into the forum armed with all the arts as if, equipped with all weapons, he were going into battle. This is so neglected by the speakers of the present that we discern in their pleadings the shocking and disgusting errors even of our everyday speech; a further result is that they are ignorant of the laws, do not have knowledge of the decrees of the senate, go so far as to mock prescriptive law, and, indeed, totally reject the study of philosophy and the maxims of wise men. They cram their eloquence into very few commonplace expressions and cramped epigrams as if it had been expelled from its kingdom, so that oratory, once the mistress of all the arts that filled men's breasts with a most magnificent retinue, now, pruned and shorn, without adornment, without high state, I should almost say without independence, is learned as if it were one of the vulgar occupations. I think that this is the first and foremost reason why we have fallen so far short of the eloquence of the ancient orators. If witnesses are demanded, whom shall I name of greater influence among the Greeks than Demosthenes, who, tradition has it, was a most attentive student of Plato? And Cicero reports, more or less in these words, that, whatever his achievement in oratory, he accomplished it not in the workshops of the rhetoricians but in the open spaces of the Academy.[51] There are other reasons, important and weighty, which should properly be discussed by you, since I indeed have now done my duty and have, as is my custom, given sufficient offense to many, who I am sure will say, if perchance they will have heard of these remarks, that I applauded my own foolish pursuits while praising the knowledge of law and philosophy as essential for an orator."

**33.** *Practical experience used to be joined to knowledge.*

And Maternus said: "You still seem to me to be so far from having finished the task you undertook that you seem only to have begun and to have given certain traces and outlines, as it were. For you told us in what arts the orators of old were customarily trained and you pointed out the difference between our laziness

[51]The Academy in Athens was the site of Plato's school. The reference is probably to Cicero, *Orator* 3. 12.

and ignorance and their most vigorous and fruitful studies: I am waiting for what follows, so that, just as I learned from you what they knew or we do not know, I may also learn this, by what kinds of practice those who were still young men and were going to make a career in the forum customarily strengthened and fostered their talents. For you will not deny, I think, that eloquence consists not only of theoretical knowledge but much more of natural ability and practice, and our friends seem, by their expressions, to indicate the same view."

Then, when both Aper and Secundus had agreed, Messalla continued, as if beginning anew, "Since I seem to have shown sufficiently the beginnings and the seeds of the eloquence of old by pointing out in what branches of knowledge the ancient orators were customarily instructed and educated, I shall now go through their practical exercises. Of course, practice is involved in the theoretical studies and no one can understand so many subjects so abstruse and so varied, unless preparation be added to knowledge, ability to preparation, and experience to ability. From this follows the conclusion that the method of mastering material to deliver and of delivering what you have mastered is the same. But if these points seem too unclear to anyone and he separates knowledge from practice, he will certainly grant the following, that the mind which has been trained in these arts and is full of them will come with far greater preparation to those practical exercises which are held to be peculiarly characteristic of orators.

**34.** *In times past a young man attended some distinguished orator and thereby gained a broad experience of the courts and political life.*

"And so, among our ancestors, that young man who was being readied for forensic oratory, already molded by firm upbringing at home and filled with liberal studies, was taken by his father or by relatives to some orator who held a ranking position in the commonwealth. He became accustomed to attend upon this man and to escort him and to be present at all his public utterances, whether in the law courts or in public assemblies, in such a way that he also heard his disputes and was present at his quarrels and, if I may say so, learned battle in a battle. The young men at once obtained much experience from this, a good deal of confidence, and a tremendous amount of good judgment, since they were gaining an education in broad daylight and in the midst of conflicts themselves, where no one says anything stupidly or contradictorily without suffering the penalty of having

the judge reject it, his opponent cast it back into his teeth, and finally his own supporters scorn it. And so they were at once trained in real and genuine eloquence; and although they were attached to one man, they nonetheless made the acquaintance of all the advocates of the same period in a very large number of civil and criminal cases; and they had opportunity to test the differing tastes of the people themselves, from which they easily realized what was in each instance approved or rejected. In this way they did not lack a teacher, and he indeed the best and most choice, to furnish the true appearance, not a phantom, of eloquence; nor did they lack opponents and rivals who fought with swords rather than with wooden staffs, or an audience, always full and always changing, made up of friends and foes, so that nothing said, whether well or badly, could be covered up. For you know that the great and enduring reputation of oratory is won no less among the benches of opponents than among one's own; nay more, it springs more surely from that source, there it is more firmly strengthened. And, indeed, that young man about whom we are speaking, under tutors of this kind, a student of orators, a listener in the forum, an adherent of the courts, molded and trained by the experiences of others, to whom laws were known, since he heard them daily, to whom the faces of the judges were not unfamiliar, who had much experience in public assemblies, who had often tested the likes and dislikes of the people, whether he had undertaken a prosecution or a defense, was at once, himself alone, equal to any case. Lucius Crassus was eighteen years old when he prosecuted Gaius Carbo with a speech which even today we read with admiration; so too, with speeches just as lasting, Caesar, aged twenty, prosecuted Dolabella, Asinius Pollio was twenty-one when he attacked Gaius Cato, and Calvus, when he was only a little older than that, prosecuted Vatinius.

**35.** *Nowadays the young practice speaking in the schools of the rhetoricians.*

"But now our young men are taken to the schools of those who are called rhetoricians; it is clear from the following that they existed a little before Cicero's times and found no favor with our ancestors, because, as Cicero says, they were ordered by the censors Crassus and Domitius to close 'a school of impudence.'[52]

[52] A decree of the senate banished rhetoricians and philosophers in 161 B.C. The censorship of Crassus and Domitius was in 92.

But, as I had begun to say, they are brought to the schools, where I should find it hard to say whether the place itself or their fellow students or the character of their studies do their abilities greater damage. For there is no sense of respect in a place that no one enters unless he is as ignorant as the teacher; there is no advantage in one's fellow students, since boys speak and are heard among boys, and young men among young men, with equal complacency; indeed, the very kinds of practice are to a large degree harmful. For, as you all know, two types of subject matter are used by rhetoricians, deliberative speeches and debates.[53] Of these the former, indeed, as if obviously rather unimportant and requiring less judgment, are assigned to boys, the debates are entrusted to the more mature, but, in faith, what they are like and how unbelievably put together! Furthermore, bombastic delivery is employed for a subject unrelated to reality. In this way it happens that they declaim in grandiose style about the rewards of tyrannicides or the choices open to women who have been raped or the remedies of pestilence or the incests committed by mothers or whatever is being discussed daily in school but rarely or never in the forum: when they come to real judges . . ."

[Here follows a gap in the manuscript, which embraced the end of Messalla's speech and the beginning of Maternus', who is the final speaker.]

**Chapters 36–42.** Maternus is now speaking. He focuses upon the changed political climate of the principate: with the emperor responsible for all major decisions, there is no occasion for great oratory.

**36.** *Maternus argues that great eloquence can exist only in a disordered state.*

"[The ancient orator] was able to think out his subject and was incapable of saying anything insignificant or trivial. Great eloquence, like a flame, is fed by fuel, is excited by motion, and grows bright as it burns. The same circumstance promoted the eloquence of the ancients in this state too. For although the orators of the present have also obtained those rewards which were properly granted in a well-ordered, peaceful, and prosperous commonwealth, those nonetheless clearly acquired greater personal advantages from that disorder and lawlessness, since, when everything was in a state of confusion and lacked a single

[53] These are the well-known *suasoriae* and *controversiae*.

overseer, each orator was considered as wise as the errant people could be convinced that he was. From such conditions came a continuous series of laws and consequent popularity, from such the meetings called by magistrates who almost spent the night on the rostra, from such the prosecutions of influential individuals and the feuds that were the legacy of whole families, from such the divisions within the aristocracy and the never-ending struggles of the senate against the common people. Although these, every one of them, tore the state to pieces, they nonetheless whetted the eloquence of those times and seemed to heap great rewards upon it, since, the more influential each man was in oratory, the more easily he attained public offices, gained preeminence over his colleagues in those offices, won greater influence among the leading men of the state, greater prestige in the senate, greater reputation and renown among the people. These men were the patrons even of numerous foreign peoples, these men were honored by governors on the verge of departing for their provinces and esteemed by them after their return, these men seemed to be beckoned, with no effort on their part, by praetorships and consulates, these men were not without influence even when they held no public office, since they guided the people and the senate by their advice and prestige. Nay more, they had convinced themselves that no one could rise in the state or maintain a position of importance and prominence without oratorical ability. Nor was this strange, since they were brought onto the rostra before the people even against their wills, since it was ineffectual to express an opinion briefly in the senate unless each person supported his view with ability and eloquence, since they had to reply with their own voices to the summons of some slander or legal charge, since they were required to give testimony face to face in public cases as well, not by affidavit while in absentia. Thus, great necessity was added to the very great rewards of eloquence, and, just as it was considered honorable and glorious to be thought to be a good speaker, so on the contrary it was considered disgraceful to be dumb and tongue-tied.

**37.** *The great political figures of the late republic were all skilled speakers.*

"They were therefore aroused by shame no less than by rewards that they not be ranked among clients rather than among patrons, that connections handed down by their ancestors not pass over to others, that they not fail to obtain public offices on the

grounds of indolence and incapacity or perform them inadequately once obtained. I do not know whether there have come into your hands these old records, which still exist in the libraries of lovers of antiquity and which are just at present being collected by Mucianus,[54] and have now been arranged and published in eleven books of *Transactions,* I think, and three of *Letters.* From these it can be learned that Gnaeus Pompey and Marcus Crassus were influential not only because of their military prowess but also because of their oratorical genius; that men like the Lentuli and Metelli and Luculli and Curios[55] and the rest of the band of the aristocracy devoted much effort and attention to these studies, and that no one in those times attained great power without some eloquence or other. In addition, there was the high rank of the defendants and the importance of the issues, which of themselves are in the highest degree conducive to eloquence. For it makes a great deal of difference whether you have to speak about a theft or rules of procedure and an injunction, or about corruption at elections, the plundering of allies, and the murder of citizens. Just as it is better that these evils not occur and that we should possess that best kind of state in which we suffer no such thing, yet, when they occurred, they furnished great material for eloquence. For the power of genius grows with the importance of affairs, nor can anyone produce a speech that is brilliant and renowned unless he has found a case worthy of it. The speeches that Demosthenes composed against his guardians do not, I think, give him luster, nor do the defenses of Publius Quinctius or Licinius Archias make Cicero a great orator: Catiline and Milo and Verres and Antony[56] have given him this reputation; not that it would be of such great importance for the state to produce bad citizens so that orators might have richer material for delivery, but, as I continually remind you, let us remember our inquiry and know that we speak about that art which existed more easily in violent and uneasy times. Who does not know that it is more advantageous and better to enjoy peace than to be assailed by war? Nevertheless, wars produce more good soldiers than does peace. The situation with eloquence is similar. For the more often it has stood in the

[54] Gaius Licinius Mucianus, governor of Syria at the end of Nero's reign, supported Vespasian in the latter's claim of the principate; indeed, he may well have instigated that claim. Three times consul (66, 70, 72), he was until his death, sometime between 75 and 77, an important figure in Vespasian's government. See *Agricola* 7.

[55] These were were all contemporaries of Cicero.

[56] These speeches all survive.

line of battle, as it were, and the more blows it has delivered and received and the greater the adversaries and the more bitter the battles it has deliberately chosen, so much the more is it, in public report, loftier, more distinguished, and ennobled by the very trials it has endured; the nature of men is such that they wish to gaze at the dangers of others while themselves free from care.[57]

**38.** *Law courts then furnished opportunity for great oratory.*

"I pass to the characteristics and custom of the old courts of law. Although current practice is more practical for ferreting out the truth, nonetheless that old forum exercised eloquence more in which no one was compelled to plead his entire case in a very few hours and there were liberal adjournments and each orator imposed his own limits upon his address and the number of days or advocates was not defined. Gnaeus Pompey in his third consulship[58] was the first to confine these and, as it were, put reins upon eloquence, in such a way, nevertheless, that everything was carried on in the forum, in accordance with the laws, and before the praetors; to what extent the more important cases were customarily in times past tried before them is shown by nothing more clearly than that the cases pleaded before the court of one hundred,[59] which now hold the first rank of importance, were so eclipsed by the renown of the other courts that we do not read of the delivery of any speech of Cicero or Caesar or Brutus or Caelius or Calvus or, indeed, of any great orator before the hundred, with the exception of Asinius' speeches composed in behalf of Urbinia's heirs, and even these were delivered by Pollio in the middle of the reign of the deified Augustus, after a long period of peace and the people's continuous repose and the uninterrupted serenity of the senate and the very great statesmanship of the emperor had completely silenced eloquence itself as it had all things.

**39.** *The manner in which courts are now conducted hampers oratory.*

"What I am going to say will perhaps seem trivial and absurd, but I shall say it anyway, even if only that it may be laughed at. How much do we think that eloquence has been debased by those cloaks[60] in which, hampered and, as it were, bound up,

[57] See the beginning of book 2 of Lucretius' *On the Nature of Things.*
[58] When he was sole consul for almost the first half of the year 52 B.C.
[59] See footnote 6.
[60] In the old days, the toga was the proper dress for court appearance. It was

we chat with the judges? How much power do we believe has been stripped from a speech by auditoria and archive offices, in which nowadays the great majority of cases are generally disposed of? For, just as a spacious race track proves high-born steeds, so too there is a kind of testing ground for orators; unless they are borne through it free and unhampered, eloquence is weakened and then broken. Nay further, we know by experience that care and concern for preparation are harmful because often the judge asks a question before you begin and you have to take your point of departure from his question, and he frequently imposes silence on proof and evidence. In the midst of these things, one or at most two people stand by the speaker, and the case is carried on as if in a desert. However, the orator needs noise and applause and a kind of theater, as it were: such things were daily at the disposal of the ancient orators, when so many and such distinguished men packed the forum at the same time, when also clients and the members of tribes and even embassies of communities and part of Italy stood by those who were in danger, when in most cases the Roman people believed that it made a difference to them what the verdict was. It is beyond question that Gaius Cornelius and Marcus Scaurus and Titus Milo and Lucius Bestia and Publius Vatinius[61] were prosecuted and defended with the whole state there assembled, so that the very enthusiasms of the people in rivalry were able to arouse and set afire even the most phlegmatic orators. And indeed speeches of this kind survive, so that even the very men who delivered them are not more distinguished for any others.

**40.** *A well-ordered state does not produce great orators since they are not needed.*

"Then, indeed, what remarkable stimulus was furnished genius, what fire was given orators by the continual public gatherings and the privilege that was granted of attacking the most powerful men and the very glory of feuds, when very many good speakers did not keep from tangling even with Publius Scipio or Sulla or Gnaeus Pompey and, the nature of envy being what it is, used the ears of the people, just as actors do, to attack the leading men of the state.

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later replaced by the *paenula*, a tight-fitting sleeveless cloak. The change was indicative of the loss of dignity suffered by the legal profession.

[61] These famous cases, in all of which Cicero spoke for the defense, occurred in the years between 65 and 52 B.C.

"We are not speaking about a calm and peaceful state, one which gets pleasure from uprightness and moderation, but that great and renowned eloquence is the offspring of license, which fools call liberty, the companion of seditions, the instigator of an unbridled people, without respect, without dignity, violent, rash, arrogant, which does not appear in well-governed states. Of what Lacedaemonian or Cretan orator have we heard? The constitutions and laws of these states are reported to have been most strict. We do not even know of eloquence among the Macedonians and Persians or any people who were satisfied with stable government. Certain orators appeared in Rhodes and very many at Athens, where the commons, the inexperienced, all men, so to speak, had all power. Our state too, as long as it wandered aimlessly, as long as it weakened itself by means of partisan politics and dissensions and discords, as long as there was no peace in the forum, no common policy in the senate, no self-restraint in the law courts, no respect for authority, no restrictions imposed by the magistrates, undoubtedly produced a more vigorous eloquence, just as an uncultivated field produces certain more luxuriant plants. But neither the eloquence of the Gracchi was of such great advantage to the state that the latter even put up with their laws nor did Cicero find oratorical renown adequate compensation for his terrible death.[62]

**41.** *Rome today is well governed by a wise emperor. Each age should therefore enjoy its own blessings.*

"Thus, too, the forum, which survives the ancient orators, is proof of a state not faultless or as well ordered as one could wish. For who calls upon us except the man guilty or miserable? What community comes into our protection unless either a neighboring people or internal disagreement is the cause? What province do we represent except one that has been plundered and despoiled? And yet it would have been better for no complaint to arise than for a complaint to be avenged. But if some state should be found in which no one did wrong, the orator would be unnecessary among guiltless people, as a doctor is among healthy ones. Just as, nonetheless, the doctor's skill has very little use and shows little progress among those nations which enjoy the best health and the soundest bodies, thus the

[62] Cicero was beheaded by Antony's henchmen near his villa at Formiae, on December 7, 43 B.C. See Juvenal, *Satires* 10. 118ff.

prestige of orators is less and their glory duller among people of high moral character who are ready to obey their ruler. For what need is there for long expressions of opinion in the senate when the best men quickly come to an agreement? What is the need for many meetings before the people, when the ignorant masses are not deciding a matter of public policy but the one individual who is the wisest? What is the need for prosecutions undertaken by individuals, when wrongdoing is so rarely and sparingly committed? What the need for defenses that produce enmity and go beyond all bounds, when the mercy of the judge embraces those in danger? You, gentlemen, who are excellent and most eloquent men, as far as the need exists, believe me, if you had been born in earlier centuries and those at whom we marvel in these, and some god had suddenly exchanged lives and times, you would not have lacked that very great praise and glory in eloquence, nor they moderation and a sense of proportion; now, since no one can attain great renown and great repose at the same time, let each one enjoy the blessing of his own age without detracting from the other."

**42.** *The gathering breaks up and all depart.*

Maternus finished, and then Messalla said: "There were some points with which I would disagree, there were others which I would like treated at greater length, except that the day is already far gone." Maternus responded, "We will do it whenever you wish in the future, and if some things seemed unclear to you in this discourse of mine, we shall consider them again." And, getting up at once and having embraced Aper, he said, "I shall make charges against you before the poets, while Messalla will do the same before the lovers of antiquity." "And I shall indict both of you before the rhetoricians and schoolmasters," said Aper.

When they had smiled, we departed.